

Notice of Allowability

Application No.

09/612,766

Examiner

Anh Ly

Applicant(s)

HEPWORTH ET AL.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/15/2007.
2. ☒ The allowed claim(s) is/are 1-2, 5, 17-18, 21, and 28-29 (renumbered as 1-8).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 07/10/2007
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 07/10/2007.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This Office Action is response to Applicants' RESPONSE filed on 06/15/2007.
2. Claims 3-4, 6-16, 19-20, 22-27 and 30-34 cancelled.
3. Claims 1-2, 5, 17-18, 21, and 28-29 are allowed.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Chad E. King (Reg. No. 44,187) on 07/10/2007 at 303-607-3213 at 2:10PM.

The application has been amended as follows:

Claim 1:

In line 4 of claim 1, "the at least one trademark," should replace with "at least one trademark,"

In line 8 of claim 1, "receiving a URL," should replace with "receiving a Uniform Resource Locator (URL),"

In line 15 of claim 1, "the identified matches within the category," should replace with "the identified matches within a category,"

In line 17 of claim 1, "wherein the report displays the at least one character string" should replace with "wherein the report displays at least one character string"

Claim 5:

In line 4 of claim 5, "the at least one trademark," should replace with "at least one trademark,"

In line 12 of claim 5, "receiving a URL," should replace with "receiving a Uniform Resource Locator (URL),"

In line 19 of claim 1, "the identified matches within the category," should replace with "the identified matches within a category,"

In line 21 of claim 1, "wherein the report displays the at least one character string" should replace with "wherein the report displays at least one character string"

Allowable Subject Matter

5. The present application has been thoroughly reviewed. Upon searching a variety of databases, the examiner respectfully submits that claims 1-2, 5, 17-18, 21, and 28-29 are allowed in light of the applicants' argument and in light of the prior arts of made record.

6. The following is an examiner's statement of reasons for allowance:

The claimed invention is directed to methods for searching and reporting an incidence of at least one of a trademark, a tradename, a celebrity name or a famous name in a Web page on the Internet.

7. The closest prior arts, US Patent No.: 6,401,118 B1 issued to Thomas teaches receiving search request or search string and sending the search request to web server for searching the Internet for URL's including InterNIC. And the result is displayed as a

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report with column; US Patent No.: 6,611,830 B2 issued to Shinoda (hereinafter Shinoda) teaches an unauthorized user to modifying the information of mark image over the network. Pub. No.: US 2002/0156774 A1 of Beauregard et al. (hereinafter Beauregard) teaches word dictionary for lookup and checking spelling including homonyms or phonetic or synonyms. In combination, Thomas, Shinoda and Beauregard fail to teach wherein the search results are extracted from the Web page, categorized, and formatted in a report, each category including at least one character string corresponding to a number of occurrences of the identified matches within the category, the category selected from the group consisting of a meta-tag, a hidden text, a text, a title, a hyperlink, and an image text, and wherein the report displays the at least one character string in a column format for at least one of the meta-tag, the hidden text, the text, the title, the hyperlink, and the image text, and wherein the search results highlight the at least one trademark, tradename, celebrity name, or famous name found in the Web page; and determining an unauthorized use of the at least one trademark, tradename.


These distinct features, in conjunction with all other limitations of the dependents and independent claims render claims 1-2, 5, 17-18, 21, and 28-29 them allowable.


8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV (**Written Authorization being given by Applicant (MPEP 502.03 [R-2])) or fax to (571) 273-4039 (Examiner's personal Fax No.)**). The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John Breene**, can be reached on (571) 272-4107.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: **Central Fax Center: (571) 273-8300**

ANH LY 
JUN. 28th, 2007


Cam y Tuong
primary Examiner